



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SECRETARIAT

2010 SEP 14 A 10:15

September 13, 2010

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC for PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/SARI PICKERALL *us*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 JULY
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 July Quarterly Report in accordance with 2 U.S.C. § 434(a). The July Quarterly Report was due on July 15, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date or failed to file the report. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation - 2010)
 July Quarterly Report for the Administrative)
 Fine Program:)
 MANUFACTURED HOUSING) AF# 2174
 INSTITUTE PAC, and BEVINGTON, RAE)
 ANN as treasurer;)

BURTON FOR CONGRESS, and) AF# 2156
 ROBERT CLAUHS as treasurer;)
 ROBINSON COMMITTEE LLC, and) AF# 2178
 JACK E ROBINSON as treasurer;)
 LABORER'S INTERNATIONAL UNION) AF# 2171
 OF NO AMERICA LOCAL NO 17)
 POLITICAL LEAGUE, and JOSEPH R)
 LIBONATI as treasurer;)
 LIBERTARIAN PARTY OF INDIANA,) AF# 2172
 and TODD SINGER as treasurer;)

COMMITTEE TO ELECT RODERICK) AF# 2161
 VEREEN FOR CONGRESS, and CHUCK)
 MOGBO as treasurer;)
 INT LONGSHOREMENS ASSOC (ILA)) AF# 2170
 LOCAL 1291 POLITICAL ACTION)
 COMMITTEE, and MARTIN MASCUILLI)
 as treasurer;)
 MONTEREY COUNTY DEMOCRATIC) AF# 2175
 CENTRAL COMMITTEE FEDERAL, and)
 HELEN E CARLIN as treasurer;)
 PAKISTANI AMERICAN PUBLIC) AF# 2177
 AFFAIRS COMMITTEE PAK-PAC, and)
 DR. PARVEZ SHAH as treasurer;)
 CARLOS MAY FOR CONGRESS, and) AF# 2157
 ROEGER, BEN as treasurer;)
 NATIONAL ASSOCIATION FOR) AF# 2176
 UNIFORMED SERVICES RAC, and)
 HARRIS, MICHAEL F. as treasurer;)

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Federal Election Commission
Certification for Administrative Fines
September 15, 2010

Page 2

AMODEI FOR NEVADA, and NICOLA) AF# 2155
NEILON as treasurer;)
CITIZENS TO ELECT ROBERT) AF# 2158
MARSHALL, and ROBERT MARSHALL)
as treasurer;)
COMMITTEE TO ELECT CHUCK) AF# 2159
HEILESON TO CONGRESS, and)
CORBET R MISKIN as treasurer;)

DR DAN 4 CONGRESS, and BRIAN) AF# 2163
UMBARGER as treasurer;)

FRIENDS OF STEVEN WELCH, and) AF# 2167
JEFFREY MICHAEL SPARLING as)
treasurer;)
GALYEAN FOR CONGRESS, and) AF# 2168
CAULEY, CHRISTOPHER STEWART as)
treasurer;)
GUNNER DELAY FOR CONGRESS, and) AF# 2169
MICHAEL DAVID COLLINS as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 15, 2010 the Commission took the following actions on the Reason To Believe Recommendation - 2010 July Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 13, 2010, on the following committees:

AF#2174 Decided by a vote of 6-0 to: (1) find reason to believe that MANUFACTURED HOUSING INSTITUTE PAC, and BEVINGTON, RAE ANN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2156 Decided by a vote of 6-0 to: (1) find reason to believe that BURTON FOR CONGRESS, and ROBERT CLAUHS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2178 Decided by a vote of 6-0 to: (1) find reason to believe that ROBINSON COMMITTEE LLC, and JACK E ROBINSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2171 Decided by a vote of 6-0 to: (1) find reason to believe that LABORER'S INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL LEAGUE, and JOSEPH R LIBONATTI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

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(2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2172 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2161 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT RODERICK VEREEN FOR CONGRESS, and CHUCK MOGBO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2170 Decided by a vote of 6-0 to: (1) find reason to believe that INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE, and MARTIN MASCULLI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2175 Decided by a vote of 6-0 to: (1) find reason to believe that MONTEREY COUNTY DEMOCRATIC CENTRAL COMMITTEE FEDERAL, and HELEN E CARLIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2177 Decided by a vote of 6-0 to: (1) find reason to believe that PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC, and DR. PARVEZ SHAH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2157 Decided by a vote of 6-0 to: (1) find reason to believe that CARLOS MAY FOR CONGRESS, and ROEGER, BEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2176 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC, and HARRIS, MICHAEL F. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2155 Decided by a vote of 6-0 to: (1) find reason to believe that AMODEI FOR NEVADA, and NICOLA NEILON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2158 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS TO ELECT ROBERT MARSHALL, and ROBERT MARSHALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2159 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT CHICK HEILESON TO CONGRESS, and CORBET R MISKIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2163 Decided by a vote of 6-0 to: (1) find reason to believe that DR DAN 4 CONGRESS, and BRIAN UMBARGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2167 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF STEVEN WELCH, and JEFFREY MICHAEL SPARLING as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2168 Decided by a vote of 6-0 to: (1) find reason to believe that GALYEAN FOR CONGRESS, and CAULEY, CHRISTOPHER STEWART as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2169 Decided by a vote of 6-0 to: (1) find reason to believe that GUNNER DELAY FOR CONGRESS, and MICHAEL DAVID COLLINS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission
Certification for Administrative Fines
September 15, 2010

Page 7

11092652066

September 15, 2010
Date

Attest:

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 2010

Jeffrey Michael Sparling, in official capacity as Treasurer
Friends of Steven Welch
P.O. Box 554
Phoenixville, PA 19460

C00463653
AF#: 2167

Dear Mr. Sparling:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through June 30, 2010, shall be filed no later than July 15, 2010. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On September 15, 2010, the FEC found that there is reason to believe ("RTB") that Friends of Steven Welch and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before July 15, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$10,450. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$10,450 is due within forty (40) days of the finding, or by October 25, 2010, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$533,423
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

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NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or October 25, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Steven Welch and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

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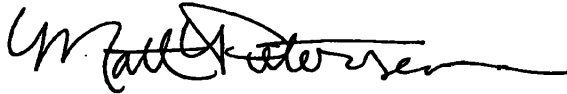
3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$10,450 for the 2010 July Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by October 25, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Friends of Steven Welch

FEC ID#: C00463653

AF#: 2167

PAYMENT DUE DATE: October 25, 2010

PAYMENT AMOUNT DUE: \$10,450

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**FEC OFFICE OF
ADMIN REVIEW**

RECEIVED

2010 OCT 25 P 1:20

2010 OCT 25 AM 11:14

FEC MAIL CENTER

October 12, 2010

C00463653

AF# 2167

FEC's Office of Administrative Review
999 E Street NW
Washington, DC 20463

Subject: AF#2167 Friends of Steven Welch

To Whom It May Concern:

On October 11, 2010 I received a notification from the FEC dated September 21, 2010. The letter was addressed to Jeffrey Sparling, the Committee's Treasurer. It appears to have been sent to my former residence at Phoenixville, PA 19460. It was subsequently resent to my current address , Malvern PA 19355.

My apologies for the confusion regarding a proper mailing address. I have never run for office and this is a new process for both my treasurer and myself. Below is a timeline of event to help clarify the situation.

- On February 20, 2010 I publically withdrew from the race for United States Congress
- On February 25, 2010 the campaign sent letters to all donors asking if they would like their money returned.
- On April 15, 2010 we submitted our quarterly report. This was the last quarter in which we had an active campaign.
- Sometime in May we closed PO Box 554, Phoenixville, PA 19460. I suspect that this is where notices have been sent.

From the time that we publically ended this campaign to the time we received the notice on October 11, 2010 the only relevant activity from the committee has been return money to its donors, pay expenses that were committed during my run for office, and use the remaining funds for distribution to local candidates.

As soon as we received notice of our failure yesterday we submitted both the June 30, 2010 report as well as the September 30, 2010 report. Additionally, we are in the process of investigating exactly what needs to be done to properly close this committee. As soon as we understand this, we will diligently work to properly close our campaign.

In light of the foregoing, I respectfully request a waiver of the \$10,450 fine. As you can see from our Q3 2010 filing, the campaign committed only has a little over

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\$7,000 remaining. This relatively small amount is all that remains because after deciding to end our campaign, the campaign committee sent letters to each donor asking them if they would like a full refund of their campaign contributions. Not surprisingly, many donors took us up on our offer and we sent back a substantial amount of donations. At a minimum based on the activity level of Q3 using your online fine calculator I have calculated the fine to be \$500.00.

Thank you for your consideration in this matter. We look forward to hearing from you.

In the future, please send all correspondence related to this committee to the following address:

Steven Welch
Candidate

Malvern, PA 19355

Jeffrey Sparling
Treasurer

Collegeville, PA 19426

Sincerely,


Steven D. Welch

11092652072



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

October 25, 2010

Jeffrey Michael Sparling, in his official capacity as Treasurer
PO Box 554
Phoenixville, PA 19460

C00463653
AF# 2167

Dear Mr. Sparling:

On October 25, 2010, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

Cc: Malvern, PA 19355

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**FEC OFFICE OF
ADMIN REVIEW**

2010 NOV -1 A 10:17

Date: October 26, 2010

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2167

Committee Name: Friends of Steven Welch

Committee ID#: C00463653

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

**Copy of RTB Circulation Report, dated September 13, 2010 and RTB
Certification, dated September 15, 2010 (Y/N): N**

Attachment #: N/A

Proof of Delivery(to be forwarded at later date if not yet received)(Y/N):Y

Attachment #: 1

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2010 July Quarterly Report Prior Notice, dated June 21, 2010.

-Non-Filer Letter, dated August 3, 2010.

-RTB Letter, dated September 21, 2010.

Attachment #: 3

Other RAD Information: (Y/N): Y

-Alternative Address Memo, dated September 29, 2010

Attachment#: 4

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Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1Z WF5 860 A2 9577 042 9
Reference Number(s): RAD
Service: NEXT DAY AIR
Spacial Instructions: ADULT SIGNATURE REQUIRED
Weight: 1.00 Lb
Shipped/Billed On: 10/05/2010
Delivered On: 10/11/2010 10:06 A.M.
Delivered To:

MALVERN, PA, US 19355

Signed By:

WELCH

[illegible]**Location:** RESIDENTIAL


Thank you for giving us this opportunity to serve you.

**Sincerely,
UPS**

Tracking results provided by UPS: 10/13/2010 8:19 A.M. ET

DECLARATION OF NATALIYA IOFFE

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
 2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Friends of Steven Welch:
 - A) Prior Notice, dated April 12 2010, referencing the 2010 July Quarterly Report (sent via electronic mail to: JEFF@WELCHFORPA.COM);
 - B) Non-Filer Letter, dated August 3, 2010, referencing the 2010 July Quarterly Report;
 - C) Reason-to-Believe Letter, dated September 21, 2010 referencing the 2010 July Quarterly Report.
 3. I hereby certify that I have searched the Commission's public records and find that Friends of Steven Welch filed the 2010 July Quarterly Report with the Commission on October 11, 2010.
 4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided.
- This declaration was executed at Washington, D.C. on the 26th day of October, 2010.


Nataliya Ioffe
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

11092652076



PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

PENNSYLVANIA

April 12, 2010

POLITICAL COMMITTEES INVOLVED IN THE PRIMARY (05/18/10):

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-Primary	04/01/10 - 04/28/10	05/03/10	05/06/10
48-Hour Notices	04/29/10 - 05/15/10	-- PA primary candidates only -- see filing info --	
July Quarterly	04/29/10 - 06/30/10	07/15/10	07/15/10

WHO MUST FILE

The following committees must file the Pennsylvania Pre-Primary Report:

- **Principal campaign committees** of congressional candidates (including unopposed candidates and candidates whose names do not appear on the ballot) who seek election in the primary election must file the above reports and notices.
- **PACs and party committees** filing on a quarterly basis in 2010 are subject to pre-election reporting if they make previously undisclosed contributions or expenditures (including independent expenditures) in connection with an election by the close of books of the applicable report(s).

Supplemental Filing Information is available:

- **Congressional Committees**
- **Parties and PACs**

Additional information for Pennsylvania Campaign Committees -- click here

¹ These dates indicate the beginning and end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2010. ²

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

¹ Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

² If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z [PDF].

PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2010 state primary, nominating convention or runoff election -- even if unopposed -- must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports.

See 11 CFR 104.5(a)(2).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates
- The *Record*: January 2010 issue [PDF]
- Candidate Guide, pp. 79-80 [PDF]

COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).³

See 11 CFR 111.30.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 81-82 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The *Record*: January 2010 issue [PDF]
- Candidate Guide, p. 79 [PDF]

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 11 CFR 110.17(e).

- The Record: March 2009 issue [PDF]
- Federal Register: Notice 2009-03 (February 17, 2009) [PDF]; Notice 2010-02 (2/24/10) [PDF].

SUPPLEMENTAL FILING INFORMATION PENNSYLVANIA CAMPAIGN COMMITTEES ONLY

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period of April 29 through May 15, 2010.

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). **Campaign committees that file electronically MUST submit their 48-hour notices electronically.** See 11 CFR 104.5(f).

- Web Page: Link to Paper Forms (for downloading and printing)
- Form 6 Fax numbers
 - Senate campaigns (Secretary of the Senate): (202) 224-1851
 - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate, p. 80 [PDF].

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

2010 SUPPLEMENTAL FILING INFORMATION PACs AND PARTY COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2010. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

Paper Filing – Meeting the Filing Deadline

Paper report filing options – Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 45-46 [PDF]; Party, p. 65 [PDF].

PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

COMPLIANCE

Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.30.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF].

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the covered period (see page 1 of this notice).

See 11 CFR 104.22 and 110.17(e).

- The Record: March 2009 issue [PDF]
- Federal Register: Notice 2009-03 (2/17/09) [PDF]; Notice 2010-02 (2/24/10) [PDF].
- Campaign Guide: Party, pp. 143-149 [PDF]

CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: Filing Frequency by Type of Committee
- Campaign Guide: Nonconnected, p. 51 [PDF]; SSF, p. 49 [PDF]; Party, p. 67 [PDF].

48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2010 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure. See 11 CFR 104.4.

- Web Page: 48- and 24-hour periods for independent expenditures for 2010 elections
- Campaign Guide: Nonconnected, pp. 72-74 [PDF]; SSF, pp. 65-67 [PDF]; Party, pp. 87-89 [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 3, 2010

RQ-7

JEFFREY MICHAEL SPARLING, TREASURER
FRIENDS OF STEVEN WELCH
PO BOX 554
PHOENIXVILLE, PA 19460

IDENTIFICATION NUMBER: C00463653

REFERENCE: JULY QUARTERLY REPORT 4/1/2010 - 6/30/2010

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 2517, ALEXANDRIA, VA 22301), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 EFR §104.18. A COPY OF THE REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT WWW.FEC.GOV.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIA OVERNIGHT DELIVERY OR COURIER SERVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT IAN WASHNER AT OUR TOLL FREE NUMBER (800) 424-9530. OUR DIRECT LOCAL NUMBER IS (202) 694-1130.

SINCERELY,

Debbie Chacona

DEBBIE CHACONA
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)

1003040158092652083



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2010 DEC 21 A 11: 15

SENSITIVE

December 17, 2010

MEMORANDUM

To: The Commission

Through: Alec Palmer
Acting Staff Director *AP*

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2167 – Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer (C00463653)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

11092652084



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 17, 2010

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2167 – Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as
Treasurer (C00463653)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$550 civil money penalty.

Reason-to-Believe Background

On September 15, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report and made a preliminary determination that the civil money penalty was \$10,450, based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on September 21, 2010 to notify them of the Commission's RTB finding and civil money penalty. The letter was returned with a notice that the respondents were "no longer at this address" and re-mailed on September 30, 2010, to an address previously provided by the respondents. On October 5, 2010, the letter was again returned with a notice that the "customer [was] not available." That same day the letter was re-mailed to another alternate address previously provided by the respondents. The letter was successfully delivered on October 11, 2010.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee of a candidate shall file a report for the period ending June 30 no later than July 15. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on July 15 to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On October 25, 2010, the Commission received the written response ("challenge") from the Candidate, Steven D. Welch, who states that this is a new process for he and the Treasurer, and requests a waiver of the fine. On February 20, the Candidate withdrew from the race and on February 25, letters were sent to donors asking if they would like a refund. On April 15 the quarterly report was filed for the last quarter in which the campaign was active and in May their P.O. Box was closed.

From February 20 to October 11, when the RTB letter was received, the only relevant activity was the return of money to donors, payment of expenses, and distribution of funds to local candidates. The July and October Quarterly Reports were filed upon notice of the failure to file, and the respondents calculate the fine to be \$500 based on the level of activity disclosed on their October Quarterly Report. Future correspondence for the Committee is requested to be sent to an address provided in the challenge.

Analysis

Although the Candidate states that he withdrew from the election on February 20, because the respondents did not file a Termination Report on or before July 15, 2010, indicating that the Committee will no longer receive contributions or make disbursements, that there are no outstanding debts or obligations and the purpose for which any residual funds will be used, they were required to file the July Quarterly Report. 11 C.F.R. § 102.3 and 2 U.S.C. § 433(e).

The challenge contends that the respondents filed the report as soon as they received the RTB letter notifying them of their failure to file, however, Commission records indicate that they were notified of their requirement to file the July Quarterly Report prior to their receipt of the RTB letter. On June 21, 2010, the Commission sent the Prior Notice for the 2010 July Quarterly Report to "JEFF@WELCHFORPA.COM," the email address listed on their Statement of Organization. On July 16, the day after the report was due, the Electronic Filing Office ("EFO") sent a notice to this same email address, informing them that they had failed to file the report. Additionally, on August 3, 2010, the Commission sent them a non-filer notice at their address of record. Given that the Treasurer provides a new address in the challenge, which was ultimately used to successfully deliver the RTB letter on the third attempt, it appears that the respondents' failure to notify the Commission of their change in address of record after they closed their P.O. Box in May, prevented them from receiving the August 3 non-filer notice.

The July Quarterly Report was filed on October 11, 2010, 88 days late.

There are four criteria used to calculate the amount of the civil money penalty. 11 C.F.R. § 111.43. They are: the election sensitivity of the report, the number of prior violations, the number of days late, and the level of activity on the late report. The July Quarterly Report is not an election sensitive report and the respondents have no prior violations. The Committee did not file the July Quarterly Report before the RTB finding, therefore an estimated level of activity (\$533,423) was used to calculate the fine. 11 C.F.R. § 111.43(d)(2)(i). The report was filed on October 11 and is considered not filed for purposes of the civil money penalty calculation. 11 C.F.R. § 111.43(e)(1). Their report discloses \$340 in receipts and \$17,638 in disbursements, resulting in an actual level of activity of \$17,978. Therefore, using the schedule of penalties at 11 C.F.R. § 111.43(a) and the level of activity bracket of \$10,000 - \$24,999.99, the civil money penalty is $\$550 \times [1 + (.25 \times 0)]$ or \$550, reduced from the RTB civil money penalty of \$10,450.

Negligence and inexperience of the Treasurer or other staff are included at 11 C.F.R. § 111.35(d) as examples of circumstances that are not considered reasonably unforeseen and beyond the respondents' control. The other issue raised in the challenge (they

are working to properly close the campaign), also does not fall within the list of valid grounds at 11 C.F.R § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$550.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2167 involving Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2167 that Friend of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the July Quarterly Report (\$17,978) assess a civil money penalty of \$550 (reduced from the RTB civil money penalty of \$10,450); and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

Attachment 1 – Challenge Received from Respondents

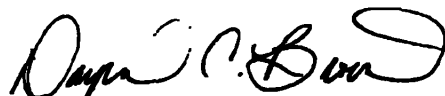
Attachment 2 –

Attachment 3 – Declaration from RAD

Attachment 4 – Declaration from OAR

DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2010 July Quarterly Report is due July 15, 2010. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on July 15, 2010 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of Page 1 of the Summary Page, and Pages 3 and 4 of the Detailed Summary Page for the 2010 July Quarterly Report electronically filed by Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2010, and was received on October 11, 2010. Line 16, Column A lists \$340.80 in total receipts for this period. Line 22, Column A lists \$17,638.65 in total disbursements for this period.
4. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 17 of December, 2010.



Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Election Commission

11092652088

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Friends of Steven Welch

ADDRESS (number and street)

PO Box 554

Check if different
than previously
reported. (ACC)

Phoenixville

PA

19460

2. FEC IDENTIFICATION NUMBER

C00463653

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT ☒ NEW (N) OR ☐ AMENDED (A)

PA

06

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

☒ July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

- (b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of

- (c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period 04 01 2010 through 06 30 2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Jeffrey Michael Sparling

Signature of Treasurer

Electronically Filed by Jeffrey Michael Sparling

Date 10 11 2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3 (Revised 12/2003)

3 / 14

Write or Type Committee Name
Friends of Steven WelchReport Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y
0 4 0 1 2 0 1 0 0 6 3 0 2 0 1 0

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees	200.00	146862.73
(i) Itemized (use Schedule A).....		
	0.00	4842.93
(ii) Unitemized.....		
(iii) TOTAL of contributions	200.00	151705.66
from individuals..... ▶		
	0.00	0.00
(b) Political Party Committees.....		
(c) Other Political Committees (such as PACS).....	0.00	3500.00
	0.00	158913.32
(d) The Candidate.....		
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))	200.00	314118.98
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
13. LOANS		
(a) Made or Guaranteed by the Candidate.....	0.00	500000.00
	0.00	0.00
(b) All Other Loans.....		
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	0.00	500000.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....	140.80	1475.51
15. OTHER RECEIPTS (Dividends, Interest, etc.).....	0.00	0.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶	340.80	815594.49

11092652090

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)

4 / 14

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	1413.65	244673.26
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	500000.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	500000.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	16225.00	56981.21
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	1000.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	16225.00	57981.21
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	17638.65	802654.47

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	30237.87
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	340.80
25. SUBTOTAL (add Line 23 and Line 24).....	30578.67
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	17638.65
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	12940.02



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

December 22, 2010

Jeffrey Michael Sparling, in his official capacity as Treasurer
Friends of Steven Welch

Collegeville, PA 19426

C00463653
AF# 2167

Dear Mr. Sparling:

On September 15, 2010, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Friends of Steven Welch and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$10,450 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

cc: Steven D. Welch, Candidate
Attachment

11092652092



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2011 JAN 10 P 4:56

January 10, 2011

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Acting Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2167 – Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer (C00463653)

On September 15, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report and also made a preliminary determination that the civil money penalty was \$10,450 based on the schedule of penalties at 11 C.F.R. § 111.43.

On October 25, 2010, the Office of Administrative Review received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated December 17, 2010 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$550 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

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OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2167 involving Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2167 that Friend of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the July Quarterly Report, assess a civil money penalty of \$550 (reduced from the RTB civil money penalty of \$10,450); and
- (3) Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation -) AF 2167
Friends of Steven Welch and Jeffrey)
Michael Sparling, in his official capacity)
as Treasurer (C00463653))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on January 21, 2011, the Commission decided by a vote of 6-0 to take the following actions in AF 2167:

1. Adopt the Reviewing Officer recommendation for AF 2167 involving Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF 2167 that Friends of Steven Welch and Jeffrey Michael Sparling, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the July Quarterly Report, assess a civil money penalty of \$550 (reduced from the RTB civil money penalty of \$10,450).
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

January 21, 2011
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 25, 2011

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeffrey Michael Sparling, in his official capacity as Treasurer
Friends of Steven Welch

Collegeville, PA 19426

C00463653
AF# 2167

Dear Mr. Sparling:

On September 15, 2010 the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Steven Welch and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report. By letter dated September 21, 2010, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$10,450 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On October 25, 2010, the Office of Administrative Review received the written response from you challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that Friends of Steven Welch and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the July Quarterly Report (\$17,978), assess a civil money penalty in the amount of \$550 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on December 22, 2010.

On January 21, 2011, the Commission adopted the Reviewing Officer's recommendation, made a final determination that Friends of Steven Welch and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a), and based on the level of activity disclosed on the 2010 July Quarterly Report (\$17,978), assessed a civil money penalty of \$550. It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the final determination memorandum is attached.

The \$550 payment for the civil money penalty was received at the Commission's lockbox on January 24, 2011.

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The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions, please contact Dayna Brown on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,


Cynthia L. Bauerly
Chair

Attachment

11092652097

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000055000 BA# 2 01-21-11 20 4



FREINDS OF STEVEN WELCH PO BOX 316 MEDIA, PA 19063-0316		1129
PAY TO THE ORDER OF	<u>Federal Election</u>	DATE <u>Jan 15, 2011</u>
<u>Five Hundred Fifty</u>	<u>00/100</u>	\$ <u>550.00</u>
PNC BANK PNC BANK, NA PNC FINANCIAL GROUP, INC.		DOLLARS
FOR <u>AF # 2167</u>		

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